

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT HUNTINGTON**

ALICIA GONAZALES,

Plaintiff,

v.

**Civil Action No.: 3:18-cv-00235
Judge Robert C. Chambers**

**MARSHALL UNIVERSITY
BOARD OF GOVERNORS,**

Defendant.

**DEFENDANT MARSHALL UNIVERSITY BOARD
OF GOVERNORS' MOTION FOR SUMMARY JUDGMENT**

Defendant, Marshall University Board of Governors (“Marshall University”), by counsel, Perry W. Oxley, Esq., David E. Rich, Esq., Eric D. Salyers, Esq., and the law firm of Oxley Rich Sammons, hereby files its Motion for Summary Judgment. Pursuant to Rule 56 of the Federal Rules of Civil Procedure, Marshall University is entitled to summary judgment on the Plaintiff’s sole count under Title IX because the Plaintiff cannot show that Marshall University was deliberately indifferent, that Marshall University’s actions were clearly unreasonable in light of the known circumstances, or that she was subjected to an ongoing hostile environment. No genuine issues of material facts exist with respect to the aforementioned issues. In support of its Motion, the Defendant files its Memorandum of Law contemporaneously herewith.

**MARSHALL UNIVERSITY BOARD OF
GOVERNORS,**

By Counsel,

s/Eric D. Salyers

Perry W. Oxley (WVSB #7211)

David E. Rich, Esq. (WV Bar #9141)

Eric D. Salyers (WVSB #13042)

OXLEY RICH SAMMONS

P.O. Box 1704

517 9th Street, Suite 1000

Huntington, West Virginia 25718

Phone: (304) 522-1138

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CERTIFICATE OF SERVICE

The undersigned counsel for Defendant, Marshall University Board of Governors, served the foregoing “*Defendant Marshall University Board of Governors’ Motion for Summary Judgment*” by electronically filing a true copy of the same with the Clerk of the Court using the CM/ECF system on this 6th day of **May, 2019**.

Amy C. Crossan, Esq.
Bouchillon, Crossan & Colburn, L.C.
731 Fifth Avenue
Huntington, WV 25701
Co-Counsel for Plaintiff, Alicia Gonzales

Johnathan M. Gesk, Esq.
Gesk & Moritz, LLC
14 E. Main Street
Carnegie, PA 15106
Co-Counsel for Plaintiff, Alicia Gonzales

s/Eric D. Salyers

Perry W. Oxley (WVSB #7211)
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